

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
E/S Osler Drive and W/S York Road, *
830' S of the c/l of Cross Campus Drive * DEPUTY ZONING COMMISSIONER
(7601 Osler Drive) *
9th Election District * OF BALTIMORE COUNTY
4th Council District *
St. Joseph Medical Center, Inc. * Case No. 02-317-X
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for special Exception filed by the owners of the subject property, St. Joseph Medical Center, Inc., by Renee Kessler, Chief Operating Officer, through their attorney, Jeffrey H. Scherr, Esquire. The Petitioners request a special exception to permit a helistop on the subject property, pursuant to Section 1B01.1.C.10 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Sean T. Flanagan and Michael Erickson, on behalf of St. Joseph's Medical Center, and Jeffrey H. Scherr, Esquire and Herbert Burgunder, III, Esquire, attorneys for the Petitioners. Also appearing in support of the request was Guy Barber, on behalf of the helicopter service which will utilize the proposed helistop. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is located on the east side of Osler Drive and the west side of York Road, adjacent to Towson University in Towson. The property consists of a gross area of 37.012 acres, more or less, zoned D.R.2, and is improved with a host of hospital buildings and medical offices, as well as related parking, for the St. Joseph's Medical Center. The Petitioners are desirous of operating a helistop on the subject property, atop an existing 7-story hospital building located in the center portion of the site. The

ORDER RECEIVED FOR FILING
Date 4/3/02
By [Signature]

exact location of the helistop, as well as the proposed flight paths to same, are clearly depicted on the site plan marked into evidence as Petitioner's Exhibit 1. Testimony revealed that St. Joseph's Medical Center obtained a special exception for a helistop in 1979, pursuant to the relief granted in Case No. 79-218-X; however, the area previously approved for such use now has an office building in its place. Moreover, the prior Order restricted the use of the heliport to helicopters owned and operated by the State of Maryland, the United States Government, or various municipal corporations. Patients are often brought to hospital facilities by way of private helicopter companies whose primary purpose is to transport critically ill patients and those in need of specialized services, particularly those offered by St. Joseph's Medical Center. At the present time, St. Joseph's Medical Center has permission for helicopters en route to its facility to land on Towson University's recreation fields. This practice has caused a great inconvenience to the University, and particularly, those students and athletes who may be utilizing the athletic fields at the time the helicopter must land. Furthermore, the hospital still has to transport the patient from the athletic field to the medical facility itself. A better method of transporting these patients would be to allow the helicopter to land atop the 7-story building as proposed. However, the requested special exception is necessary in order to permit such landings.

Based upon the testimony and evidence presented, I am persuaded to grant the special exception. It is clear that the proposed use meets the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with

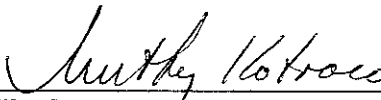
OFFICE OF THE CLERK OF THE COURT
4/3/12
BP

the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of April, 2002 that the Petition for Special Exception to permit a helistop on the subject property, pursuant to Section 1B01.1.C.10 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be filed within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/3/02
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 3, 2002

Jeffrey H. Scherr, Esquire
Herbert Burgunder, III, Esquire
Kramon & Graham
One South Street, Suite 2600
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
E/S Osler Drive, W/S York Road, 830' S of the c/l Cross Campus Drive
(7601 Osler Drive)
9th Election District – 4th Council District
St. Joseph's Medical Center - Petitioners
Case No. 02-317-X

Dear Messrs. Scherr & Burgunder:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Renee Kessler, Chief Operating Officer, St. Joseph's Medical Center
7601 Osler Drive, Towson, Md. 21204
People's Counsel; Case File





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7601 Osler Drive

which is presently zoned DR-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a helistop pursuant to Section 1B01.1.C.10.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Jeffrey H. Scherr or Herbert Burgunder III

Name - Type or Print

City

Signature

Kramon & Graham, P.A.

Company

One South Street, Suite 2600 410-752-6030

Address

Telephone No.

Baltimore

Maryland

21202

City

State

Zip Code

Legal Owner(s):

St. Joseph Medical Center, Inc.

Name - Type or Print

Signature

Renee Kessler, Chief Operating Officer

Name - Type or Print

Signature

7601 Osler Drive

410-337-4546

Address

Telephone No.

Towson, Maryland 21204

State

Zip Code

Representative to be Contacted:

Jeffrey H. Scherr

Name

One South Street, Suite 2600 410-752-6030

Address

Telephone No.

Baltimore

Maryland

21202

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 1-29-02

Case No. 02-3174

REV 08/15/98

ORDER RECEIVED FOR FILING

Date

By

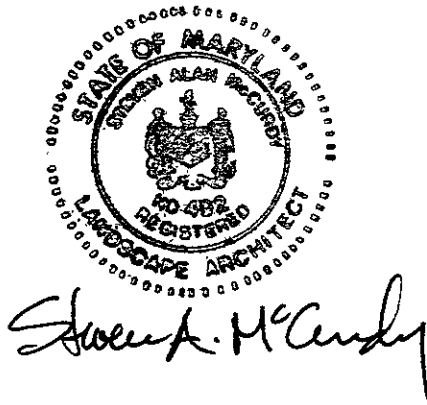


ST. JOSEPH MEDICAL CENTER

ZONING DESCRIPTION FOR HELISTOP AREA

Beginning at a point on the property boundary, on the west side of York Road (MD 45) which is 66 feet wide at the distance of 830 feet south of the centerline of the nearest major improved intersecting street, Cross Campus Drive. Thence N 78° 59' 00" W 1292.87' to the beginning point of the heliport area. Thence the following five courses and distances: S 11° 19' 40" W 40.00', thence N 78° 40' 20" W 120.00', thence N 11° 19' 40" E 120.00', thence S 78° 40' 20" E 120.00', thence S 11° 19' 40" W 80.00'. This heliport area being part of Deed Liber 4097, Folio 011 and Liber 3432, Folio 117, on the property known as 7601 Osler Drive (formerly known as 7620 York Road), located in the 9th Election District, Baltimore County, Maryland. Containing 14,400 square feet.

Lg\01158\HelistopareazoningDescription012502



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

317

No. 07822

DATE 1-29-02 ACCOUNT CC1-CC6-6150

AMOUNT \$ 300.00

RECEIVED
FROM:

ST. JOSEPH'S HOSP. 7601 OSLER DR.

FOR:

SPEC. X.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTION TO
1/30/2002 1/29/2002 14:00
REG NS06 CASHIER KACH KACH DE
RECEIPT # 063798
DEPT 5 520 ZONING VERIFICATION
SERIAL 007822

Rec'd by

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-317-X
7601 Osler Drive
W/S of York Road, 830' S
centerline of Cross Campus
Drive

9th Election District
4th Councilmanic District
Legal Owner(s): St. Joseph
Medical Center, Inc.
Renee Kessler

Special Exception to ap-
prove a helistop pursuant to
Section 1801.1.C10.

Hearing: Wednesday, April
3, 2002, at 9:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the file and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.
JT3/707 Mar 19 0526680

CERTIFICATE OF PUBLICATION

3/21, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 3/19, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 02-317-X

Petitioner/Developer ST. JOE'S HOSP.

Date of Hearing/Closing 4/3/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

Attention DEPT. LONING L. GEORGE ZAHNER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at Z-ENTRANCES - OSLER
DR. & YORK RD.

The sign(s) were posted on 3/15/02
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 3/30/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

ZONING NOTICE

CASE # 02317-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 107 COUNTY CLERK'S BUILDING
PLACE: 301 BOULEVARD AVENUE

DATE AND TIME: WEDNESDAY APRIL 3, 2002 9:00 AM

REQUEST SPECIAL EXCEPTION TO APPEAL
A HELISTOP PURSUANT TO SECTION 201.1(C)(2)
27601 OSLER DRIVE

POSTERS MUST HAVE IN HAND OR HAVE CONSIDERATION OF THE NECESSARY
TO CONSIDER HEARING CALL 410-333-1234

DO NOT REMOVE THIS SIGN AND POST UNTIL OUT OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 317
Petitioner: ST. JOSEPH'S MEDICAL CENTER, INC.
Address or Location: 7601 YORK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ~~Jeffrey~~ Jeffrey H. Scherr
Address: One South St.
Suite 2600
BALTO., Md. 21202
Telephone Number: 410-752-6030

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 19, 2002 Issue – Jeffersonian

Please forward billing to:
Jeffrey H Scherr
Kramon & Graham
One South Street
Suite 2600
Baltimore MD 21202

410 752-6030

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-317-X
7601 Osler Drive
W/S of York Road, 830' S centerline of Cross Campus Drive
9th Election District – 4th Councilmanic District
Legal Owner: St. Joseph Medical Center Inc, Renee Kessler

Special Exception to approve a helistop pursuant to Section 1B01.1.C10.

HEARING: Wednesday, April 3, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 26, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-317-X

7601 Osler Drive

W/S of York Road, 830' S centerline of Cross Campus Drive

9th Election District – 4th Councilmanic District

Legal Owner: St. Joseph Medical Center Inc, Renee Kessler

Special Exception to approve a helistop pursuant to Section 1B01.1.C10.

HEARING: Wednesday, April 3, 2002 at 9:00 a.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Jeffrey H Scherr, Kramon & Graham, One South Street, Suite 2600,
Baltimore 21202
St. Joseph Medical Center Inc, Renee Kessler, Chief Operating Officer,
7601 Osler Drive, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 19, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 29, 2002

Mr. Jeffrey H. Scherr
Kramon & Graham PA
One South Street
Suite 2600
Baltimore MD 21202

Dear Mr. Scherr:

RE: Case Number: 02-317-X, 7601 Osler Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G02
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: St. Joseph Medical Center, Inc, Ms. Renee Kessler, Chief of Operations Officer, 7601
Osler Drive, Towson 21204
People's Counsel

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 4, 2002

Item No.: 332, 317, 336, and 338

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *qbs/jbt*

DATE: March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317

285, 314-325, 327-329

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 27, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

Still waiting on Agriculture Preservation Comments for 334, 335, 339.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

APR 2

DATE: April 1, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

No AG Comments for 334, 335, 339.

HP
4/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 25, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAR 2

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-317, 02-333, & 02-370

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Goy
AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.1.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 317 JCM

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
7601 Osler Drive, W/S York Rd,
830' S of c/l Cross Campus Dr
9th Election District, 4th Councilmanic


Legal Owner: St. Joseph Medical Cetrer, Inc.
Petitioner(s)

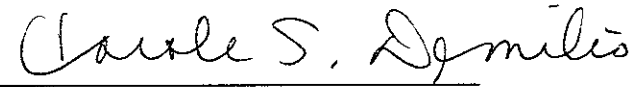
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-317-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Scherr, Esq., Kramon & Graham, 1 South Street, Suite 2600, Baltimore, MD 21202, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Jeffrey H. Sutton

Herbert Burgunder III

Michael Erickson

Guy Barber

Sean T. Flanagan

ADDRESS
1 Cranston & Graham
One South Street Suite 2600 Baltimore 21202

7601 Oster Dr Towson, MD 21204

701 Wilson Point Rd, Suite 400, Box 39 Balt MD
STMC 7601 Oster Dr. Towson, MD
21220
21224





SITE RESOURCES

incorporated

Comprehensive Land Planning & Site Design Services

LETTER OF TRANSMITTAL

TO CARL RICHARDS
BALTO. CO. ZONING OFFICE
ROOM 111, CO. OFFICE BLDG.
TOWSON, MD
21204

DATE <u>FEB. 20, 2002</u>	JOB NO. <u>01158</u>
RE: <u>ST. JOSEPH MEDICAL CENTER</u> <u>HELISTOP</u>	

COPIES	DATE	DESCRIPTION
<u>12</u>	<u>2.20.02</u>	<u>SITE PLAN TO ACCOMPANY SPECIAL EXCEPTION</u>
<u>3</u>	<u>2.20.02</u>	<u>ZONING DESCRIPTION FOR HELISTOP AREA</u>

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit _____ copies for approval |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input checked="" type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> | |

REMARKS:

Carl:

I have prepared a zoning description for just the
proposed helistop area, as we discussed per your request,
and have shown this area on the Site Plan.
Enclosed are copies for the petition package.

COPY TO

TRIPP BURBENDER @
FRANON & GRAHAM
w/ COPIES

SIGNED:

Susan A. McCurdy

ORDER RECEIVED
DATE March 28

608 Baltimore Avenue
Towson, Md. 21204
Formerly The Sisters of the Third Order Of St Francis, Philade
The Zoning Commissioner of Baltimore County, this...
of... 1977... that the subject matter of this petition be adver... as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through
out Baltimore County, that property be posted, as... that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 101 County Office Building in Towson, Baltimore
County, on the 26th... day March... 1977, at 1:00 o'clock
P. M.
Shirley D. Hines
Zoning Commissioner of Baltimore County

Foundation of St. Joseph's Hospital, Baltimore, Maryland.

RE: PETITION FOR SPECIAL EXCEPTION
for a Helistop in a D.R. 2 zone
Beginning 535.9' SE of St. Joseph
Hospital Road and Osler Drive
9th District
St. Joseph Hospital, Inc.
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 79-218-X

OPINION

This case comes before the Board on an appeal by the People's Counsel from a decision of the Zoning Commissioner which granted the Petitioner's request for a special exception for a helistop in a D.R. 2 zone. The Petitioner is St. Joseph Hospital, Inc., and this corporation seeks a Helistop to be located on the grounds of this hospital which is located at St. Joseph Hospital Road and Osler Drive, in the Ninth Election District of Baltimore County. The proposed Helistop is outlined on a plat which is in the file of the subject case.

T. Gordon Bantz, a member of the Board of Trustees of St. Joseph Hospital, testified on behalf of the Petitioner and described to the Board the details of this petition. Mr. Bantz further commented upon all the provisions of Section 502.1 of the Baltimore County Zoning Regulations and, in his judgment, the granting of this petition would not in any way violate any of the tenets of Section 502.1.

A corporal attached to the Aviation Division of the Maryland State Police also offered testimony for the Petitioner. This witness has fourteen years experience as a helicopter pilot, including the last ten years with the Maryland State Police Aviation Division. He described for the Board the planned use of the subject property, and also told the Board that, in his judgment, none of the tenets of Section 502.1 would be violated if this petition would be granted.

The People's Counsel stated that it was his judgment the use of a Helistop at the subject property by the Maryland State Police does not require a special exception. The premise for this judgment is that as a municipal body, the Maryland State Police are not subject to the local zoning regulations of Baltimore County.

I CERTIFY THAT THE A
RELIEF

APPLICANT, LESSEE OR

ADDRESS

THE PLANNING BOARD
DOES / DOES NOT CONFORM
WITH

LOCAL FORM NO. 2 REVISED 3-4-67

St. Joseph Hospital

The
executed by the attor
and reflecting upon
mentioned stipulation
violate any of the pr
provided the use is re
State or local govern
special exception su
Since
operated by Federal,
the issue raised by the
set out below.

For the
of September, 1979, b
exception for a Helistr
GRANTED, subject to
That it
maintain
agency
Any ap
8-12 of the Maryland

Ref CX #2

Philadelphia
15th
may
be advert
al circulation through
had before the Zoning
in Towson, Baltimore
17 30 at 1:00 o'clock
Baltimore County

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT: St. Joseph Hospital, Inc.
ADDRESS: 335.71 SE St. Joseph Hospital -
and Oler Drive, 9th District
Baltimore, Maryland 21204

THE PLANNING BOARD HAS DETERMINED ON 2-15-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 52-61(b) OF THE BALTIMORE COUNTY CODE, 1988.

Signed: [Signature]
DATE: 2-21-79
CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

EX 28 78 AM

LOCAL FORM NO. 2 REVISED 5-68-11
Baltimore County

BEFORE
BOARD OF APPEALS
OF
BALTIMORE COUNTY
O. 79-218-X

by the People's Counsel from
over's request for a special
St. Joseph Hospital, Inc.,
of this hospital which is
with Election District of
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the Maryland State Police
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St. Joseph Hospital - 79-218-X

The Board received into evidence as Joint Exhibit #1 a Stipulation, jointly executed by the attorney for the Petitioner and the People's Counsel. After considering and reflecting upon the testimony and evidence offered in this case, including the above mentioned Stipulation, it is the judgment of this Board that the proposed use would not violate any of the provisions of Section 502.1 of the Baltimore County Zoning Regulations, provided the use is restricted to rotorcraft owned, maintained and operated by Federal, State or local governmental agencies. For this reason the Board will grant the requested special exception subject to the restriction set out above.

Since the Board will restrict the use to rotorcraft owned, maintained and operated by Federal, State or local governmental agencies, it need not address itself to the issue raised by the People's Counsel. An Order reflecting the above judgment is set out below.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of September, 1979, by the County Board of Appeals, ORDERED that the special exception for a Helistop in a D.R. 2 zone petitioned for, be and the same is hereby GRANTED, subject to the following restriction.

That the use of this Helistop shall be restricted to rotorcraft owned, maintained and operated by Federal, State or local governmental agencies.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

[Signature]
Walter A. Belter, Jr., Chairman

[Signature]
John A. Miller

[Signature]
Leroy B. Spangler

RE: PETITION FOR SPECIAL EXCE
335.71 SE St. Joseph Hospital -
and Oler Drive, 9th District
ST. JOSEPH HOSPITAL, INC.,
Petitioner

It is hereby stipulated and ag
test many of the various witnesses in
witness stand absent this stipulation w
That Petitioner is a charitable
maintains a general hospital located
helicopter landing facility is a part of
which is the subject of this Special Ex
for the operation of helicopters bearing
rapidly transported for emergency and
program generally known to the public
utilized in this program are those own
supervision of the United States Govern
municipal corporations; that requiring
paid the distance away from its hospital
Baltimore County Zoning Regulations re
installation is proposed in the sense that
immediate, easy transfer of patients from
building without intermediate vehicular
takes the position that since the piloting
level of skill and proficiency, granting
would violate the provisions of Section 5
necessity of flight operations in such clo
unless the County Board of Appeals woul

St. Joseph Hospital, Inc.
LEGAL OWNER
1400 North Avenue
Baltimore, Maryland 21204

THE PROPOSED DEVELOPMENT
THE BALTIMORE COUNTY CODE
CHAIRMAN, BALTIMORE COUNTY
PLANNING BOARD

strengthening Order was mailed to Michael P. Tinczyn, Esquire and Theodore J.
Parthos, Jr., Esquire, 608 Baltimore Avenue, Towson, Maryland 21204,
Attorneys for Petitioner.

John W. Hestian, III

Case No. 21204-1-1-1
Baltimore, Maryland, 11/14/64, Court of Appeals

2.

Joint Exhibit of a Stipulation, jointly
people's Counsel. After considering
and in this case, including the above
that the proposed use would not
Baltimore County Zoning Regulations,
maintained and operated by Federal,
on the Board will grant the requested
the
rotorcraft owned, maintained and
sities, it need not address itself to
reflecting the above judgment is

ing Opinion, it is this 11th day
ORDERED that the special
x, be and the same is hereby
stricted to rotorcraft owned,
ste or local governmental

accordance with Rules 8-1 thru

BOARD OF APPEALS
BALTIMORE COUNTY
J. H. Miller, Chairman
J. Miller
J. Miller

RE: PETITION FOR SPECIAL EXCEPTION
535, 9th SE St. Joseph Hospital Road
and Oxler Drive, 9th District
ST. JOSEPH HOSPITAL, INC.,
Petitioner
BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Case No. 79-218-X

STIPULATION

It is hereby stipulated and agreed by and between the parties hereto that
testimony of the various witnesses in this case who would have been called to the
witness stand absent this stipulation would prove as follows:
That Petitioner is a charitable corporation which owns, operates, and
maintains a general hospital located on property of which the proposed use for a
helicopter landing facility is a part; that the purpose for which the helicopter site
which is the subject of this Special Exception is sought is that it will provide a facility
for the operation of helicopters bearing injured and ill persons so they might be more
rapidly transported for emergency and other treatment in Petitioner's hospital, a
program generally known to the public as the "Medivac" program; that the helicopters
utilized in this program are those owned, maintained, and operated under the
supervision of the United States Government, the State of Maryland, or the various
municipal corporations; that requiring the Petitioner to position the proposed helicopter
pad the distance away from its hospital building which would be normally required by the
Baltimore County Zoning Regulations tends to defeat the very purpose for which the
installation is proposed in the sense that what Petitioner seeks to accomplish is the
immediate, easy transfer of patients from the helicopters directly into the hospital
building without intermediate vehicular transportation; that the Appellant herein
takes the position that since the piloting and control of rotorcraft requires a high
level of skill and proficiency, granting the Special Exception sought by Petitioner
would violate the provisions of Section 502.1 of said Regulations, given the
necessity of flight operations in such close proximity to the hospital building itself,
unless the County Board of Appeals would restrict use of said helicopter pad to rotorcraft

owned, maintained, and operated
and actually operated by pilot won
It is therefore stipulated by
contained, an Order granting the
the helicopter pad as more particula
the public interest.

John W. Hession, III



- 2 -

owned, maintained, and operated by Federal, State, or local governmental agencies, and actually operated by pilots supervised and controlled by them.

It is therefore stipulated by the Appellant that with such restriction therein contained, an Order granting the authority for the Petitioner to construct and maintain the helicopter pad as more particularly described in said Petition would not violate the public interest.

Attorney for Petitioner

John W. Hession, III
Petitioner's Counsel for Baltimore County

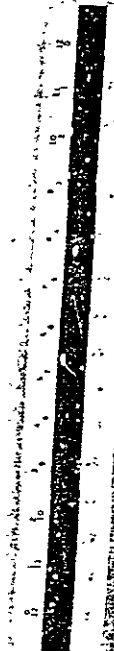
BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Case No. 79-218-X

NOTICE

Between the parties hereto that
no would have been called to the
as follows:
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in which the proposed site or a
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a that it will provide a facility
nd persons so they might be more
ment in Petitioner's hospital, a
-drive" program; that the helicopter
ed, and operated under the
State of Maryland, or the various
re to position the proposed helicopter
ch would be normally required by the
at the very purpose for which the
tioner seeks to accomplish is the
opters directly into the hospital
ion; that the Appellant herein
al of rotorcraft requires a high
Exception sought by Petitioner
Regulations, given the
to the hospital building itself,
of said helicopter pad, a helicopter

BENJAMIN A. MCDONNELL
 Registered Engineer No. 1972
 ENGINEER
 111 North Charles Street
 Baltimore, Maryland, 21202

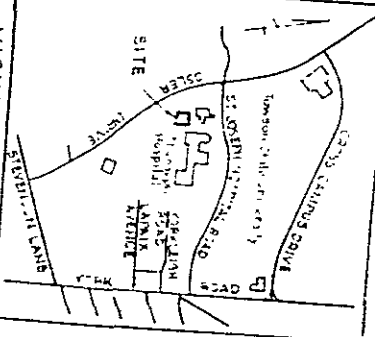


PLAT FOR CONVEYANCE
 OF THE
 E-20 ACED FOR
 ELECTION DISTRICT NO. 9
 BALTIMORE COUNTY, MARYLAND
 1971-1972

11.60
 11.60
 11.60

NOTES:
 1. High ground water
 2. High ground water
 3. High ground water
 4. High ground water

VICINITY MAP
 Scale: 1" = 1000'



PROPERTY OF
 ST. JOSEPH HOSPITAL, INC.
 G.L.B. 3432-11A
 R.R. 4097-11
 ZONED: DR 2

St. Joseph's
 Hospital
 West Wing

Emergency Parking

SITE AREA
 1,800 sq. ft.
 2,317 sq. ft.

Mechanical
 Services
 Building

OSLER DRIVE

97°35'56" E - 435.6' from
 northeast corner of Joseph
 Hospital Building (on NW)

440' to south side of
 Joseph Hospital Building

S13°03'56" W - 115.00'

S71°57'53" E - 115.44'

N13°03'56" E - 125.00'

N76°56'04" W - 115.00'

Parking

Entrance

Part 3



DATA SOURCES
Topographic Base: Baltimore County GIS
Property Boundary:
Based on Boundary Survey prepared by
Titled "Boundary Survey, 37,0122 Acre Tr

O-SE N-SW
O-NE N-NW

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

SCALE	LOCATION	SHEET
1" = 200' ±	STONELEIGH ANNESLIE ROGERS FORGE	N.E. 8-A
DATE OF PHOTOGRAPHY JANUARY 1986		



SHEET NO. 8B

NE 8 A

